

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: May 17, 2005

JOSÉ M. SANCHEZ

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marilyn Brewer
Deputy Clerk

SHIRLEY L. DAWSON

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, 2nd Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Jacque Griffin led the Pledge of Allegiance and Steve Stratton delivered the Invocation.

Chairman Sanchez stated that because of prior commitments by Dennis Miller, who was present at the meeting, agenda item numbers 5 and 6 would be moved to the second and third agenda items.

Steve Besich requested the Board's consideration to retain Dennis Miller and Associates to continue working on audit reports that need to be prepared and submitted to the State Auditor General for years 2003 and 2004. Mr. Besich advised that Mr. Miller has been reviewing all of Gila County's financial data related to the audits with Richard Gaona, Finance Director. He stated that agenda items 5 and 6 are tied together, and that agenda item 5 outlines Mr. Miller's billing rates which are \$75.00 per hour, travel at the State rate of 37.5 cents for auto mileage, 99.5 cents per statute mile for aircraft, and lodging and meals at actual cost. Mr. Besich recommended that the Board approve

retaining Mr. Miller at the rates as stated above, as an outside audit firm would be much higher at over \$120 per hour plus expenses. Supervisor Dawson stated that the Auditor General is charging Gila County an additional fee to conduct the actual audit, but that Mr. Miller has not given the Board an outline of what work he will be performing for Gila County or a projection on his length of time. Mr. Besich stated that Mr. Miller is prepared to report more information in agenda item no. 6 and that item no. 5 is just his fee for services. Supervisor Dawson then asked the Board if it would be possible to not take any action on agenda item no. 5 at this time until hearing more from Mr. Miller on agenda item no. 6. Mr. Besich stated that both agenda items could be considered together if the County Attorney approved. Bryan Chambers stated that it would be appropriate to move to agenda item no. 6, and then go back and vote on agenda item no. 5.

At this time Chairman Sanchez moved to agenda item no. 6. Steve Besich requested the Board entertain a Proposal from the State Auditor General for additional assistance to complete the 2003 and 2004 annual audits. He stated: *"Mr. Miller comes to us from having been the Santa Cruz County Manager for many years. He went there because their audits were in arrears. He also has a good working relationship with the Auditor General and staff and brings to us thirty years of experience."* He then called on Mr. Miller. Mr. Miller stated that since being contacted by Mr. Besich, for the past two weeks he has been working with the County's Finance Department to assemble the required documentation for the 2003 audit. A meeting was also arranged with Walker and Armstrong, the current auditors for 2003 contracted by the Auditor General, at which time Mr. Miller and Mr. Besich delivered a box of materials. Mr. Miller also advised that he and Mr. Besich met with the Auditor General Debbie Davenport and her chief financial officers. It was explained that bringing the County's audit reports to current status is a priority of this Board and a request for assistance with the audits was made to the Auditor General. They inquired if it would be possible for Walker and Armstrong to

continue for an additional year in order to complete the 2004 audit. Mr. Miller stated that, typically, the Auditor General rotates the audit firms every three years. Given that fact, Miller, Allen & Company should be the audit firm chosen to conduct the 2004 audit. The Auditor General advised that she would contact both audit firms. Miller, Allen & Company agreed to move its three-year rotation up one year with the firm's fee being absorbed by the Auditor General. Walker and Armstrong agreed to do both the 2003 and 2004 audits at the price of \$28,570.00 for 2003, and \$11,000.00 for 2004. Single audits required for grants will be prepared, along with comprehensive annual financial reports, and an expenditure limitation report. Mr. Miller stated that Walker and Armstrong has also agreed to leave copies of the work papers to assist the County Finance staff in being able to do some of the required work for the 2005 audit. Mr. Miller stated that Walker and Armstrong's time frame for the 2003 audit would be as follows: 1) an on-site visit for four days, beginning May 31st, to conduct the preliminary audit work and schedule preparation, 2) a return visit from June 20th to 24th, 3) a third visit on August 1st and 2nd; and, 4) completion of the report by October 15th. The 2004 audit and issuance of related reports would be complete by the end of December 2005. Mr. Miller advised that the Auditor General felt this was a fair proposal; however, the decision was up to the Board. Chairman Sanchez thanked Mr. Miller and asked him to verify that for audit year 2003, Walker and Armstrong will prepare all of the required schedules at a cost of \$28,570.00 which is to be paid for by the County because these schedules are normally the responsibility of the County. Mr. Miller responded in the affirmative and stated that for the 2005 audit the County will be responsible for preparing the schedules in conjunction with the new auditing firm, Miller, Allen & Company. Chairman Sanchez clarified that Mr. Miller's company is known as Dennis Miller and Associates and the auditing firm is known as Miller, Allen & Company. Mr. Miller confirmed that the company names are correct as stated by Chairman Sanchez and he advised that his company has no connection to Miller, Allen &

Company. In response to Supervisor Dawson's question, Mr. Miller stated that he didn't have a "flat" proposal for the Board; therefore, the Board could fire him at any time. Mr. Miller stated that he is *"here to serve at the pleasure of the Board, County Manager and Mr. Nelson."* He advised that less of his time would be required if the Board approves the proposal by the Auditor General. Mr. Miller stated that there was work he would like to complete for the County and he reiterated that it is the Board's decision. Vice-Chairman Martin stated: *"I'm delighted that you are here and I want to thank you for the work you've put into this as it makes perfectly good sense to go in this direction."* Supervisor Dawson stated that there are three pages of notations of the work proposed to be conducted by the Auditor General. She inquired if the notations were drawn up by the Auditor General or Mr. Miller. Mr. Miller stated that the client is actually the Auditor General who hires Walker and Armstrong. Mr. Miller advised that the Auditor General negotiated with Walker and Armstrong as to the fee and the Auditor General will pay the difference to Miller, Allen & Company, but he didn't know the amount. He stated that if the time it takes to complete the audit is not an issue, a little money could be saved. Mr. Miller pointed out that one of the County's problems is staff turnover and the new Finance Director, Richard Gaona, was not provided training by the previous Finance Director, as well as there being no professional accounting staff. Supervisor Dawson stated that she doesn't have a problem with what the Auditor General is requiring, but she has concerns that for several years Gila County has not been able to identify accounts receivable, accounts payable, or keep track of vacation and comp time records and the Auditor General is identifying that the County will pay Walker and Armstrong to establish this information. She also stated that she understands in the past year or two the County spent \$80,000 for a computer software program called Solomon. She questioned if Mr. Miller was suggesting that the County go to a different program. She also questioned who would be the person making the decision that the County throw away the Solomon investment, as she understands that

the County hasn't even started using the Solomon program. Mr. Besich stated that this conversation was mixing apples and oranges. He advised that the County is currently utilizing an old accounting system and the only other County using this system is Santa Cruz. He recommended that nothing be changed until the audits are completed, as conversions are complicated and complex as it is without trying to maintain two systems at the same time. He stated that as far as the Solomon program is concerned, the County should just go with what it purchased and get the business completed. Mr. Miller concurred with Mr. Besich and stated that when Y2K happened, Santa Cruz and Gila County decided to pay Data Services of Arizona to take care of the Y2K problem which was a wise decision, as other counties went with various other programs and encountered some severe problems with those programs. Mr. Miller advised that he has not been asked to evaluate the Solomon program, and that the old system works and is basically a reliable system. He stated, *"One of the down sides of the old system is that it has a lot of areas where people can make errors in it, but to change in the middle of an audit doesn't make sense."* He stated that even though the current system is *"doing the job,"* at some point it must be replaced because it is over 25 years old. Supervisor Dawson stated that in reviewing the 2002 audit and recommendations made, the County promised to update the system and come in line with various things for 2003, and that wasn't done. She appreciates what Mr. Miller has done for the County; however, questions remain regarding the work to be performed by Mr. Miller during the period the Auditor General is conducting the audits. Mr. Miller replied that he is very booked and if the County doesn't need his services that would be fine with him. Chairman Sanchez stated that he felt Supervisor Dawson's question had been answered and that Mr. Miller will be working at the pleasure of the Board, the County Manager and staff. He stated to the Board: *"We do not have an itemized list of what Mr. Miller will be working on, but in my mind how you [Mr. Miller] will be working with staff and the Board has been clearly stated."* Chairman Sanchez called for a motion on

agenda item no. 5. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board voted by a 2-1 vote to retain Dennis Miller and Associates to continue working on the State audits. Supervisor Dawson voted “nay.” Supervisor Dawson explained that she was voting no because the Board did not have an outline of the work to be performed by Mr. Miller.

Chairman Sanchez then called for a motion on agenda item no. 6. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the Proposal from the State Auditor General for additional assistance to complete the 2003 and 2004 annual audits.

In returning to agenda item no. 2, Jacque Griffin, Assistant County Manager/County Librarian, read a letter of recognition from J & D Contracting about the following employees of the Environmental Health Department of the Gila County Division of Health and Community Services, namely: Jake Garrett, Svanna Jones, Cindy Shafe and Bhishm Naraine. Vice-Chairman Martin requested that the letter and a photo be turned into an article for the media.

Terry Smith, Deputy Director of the Community Development Division/Planning & Zoning Manager, requested the authorization of the Planning and Zoning Department staff to proceed with amendments to the Gila County Zoning and Building Code ordinances and to prepare resolutions as necessary to establish civil penalty fees, rules of procedure and to create a hearing office. Mr. Smith stated that this item is a follow-up from the presentation given by Brenda Lampert of Pinal County’s Hearing Office, and he was requesting direction by the Board. He stated that for several months his department had been working on a proposed junk ordinance, but he felt the Board was now looking at a better route to handle Gila County violations similar to other counties. If approved by the Board then his task would be to amend existing ordinances to reflect civil penalties instead of criminal penalties and to draw up resolutions establishing the civil penalties for Zoning and Building Code violations, authorizing a hearing officer to impose civil penalties,

with the next step being to adopt hearing officer rules of procedure. The final phase would be how the Board wishes to establish the hearing office, under what umbrella or agency, number of personnel, and a budget. He also stated that Pinal County has offered the services of Ms. Lampert for a week in order to help set up Gila County's hearing office. Mr. Besich inquired if there was any cost estimate available. Mr. Smith stated he had nothing prepared. Mr. Besich requested that Mr. Smith obtain a cost estimate from Ms. Lampert with the intent of scaling down the amount to approximately one-third of that cost estimate. Supervisor Dawson asked Mr. Smith to verify that he will present a cost estimate to the Board at a later time, and she asked him to confirm that today's requested action was to obtain the Board's authorization to allow him to proceed with the process. Mr. Smith affirmed that today's requested Board action is to obtain authorization to proceed with the process and he offered to provide a cost estimate prior to amending the ordinances. Vice-Chairman Martin stated that she also would like to see a cost estimate before going too far with the program. Mr. Smith stated that it would probably take two months to amend the existing ordinances, and in the meantime he could get started on the cost estimates. Supervisor Dawson inquired if Ms. Lampert had stated that Pinal County uses volunteer hearing officers. Mr. Smith stated that existing County employees could be hearing officers if authorized. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized the Planning and Zoning Department to proceed as noted above.

Terry Smith requested the approval of Planning and Zoning Department Case No. S-04-01, a final plat request for Diamond Point Summer Homes to subdivide Tract 37 into 47 lots and 13 tracts/common areas for single family residential living. Mr. Smith stated this item could have been a Consent Agenda item; however, he wanted to let the Board know how the County reached this point as this is not a typical subdivision. Mr. Smith stated that the project site is zoned R1L-D18, Single Family Residential, no mobile homes

allowed, with a minimum lot size of 18,000 square feet. The average lot area is one-half acre with the project site being approximately 107.70 acres. The project site is located north of State Highway 260 off Forest Road 64, approximately fifteen miles east of Payson, Arizona. The property was previously Forest Service land and was recently sold through the land exchange process to the Diamond Point Summer Homes Association. Mr. Smith read aloud the Staff Report. He stated that on February 17, 2005, the Planning and Zoning Commission recommended approval of the plat and offered the following recommendations:

- 1) Typically, lands being subdivided must follow the guidelines within the subdivision regulation. The guidelines are to include drainage, paved streets, curbs and gutters, water and wastewater system approval by County and State agencies. The property has been used as summer cabins and home sites for many years. The final determination as to improvements, if any, will be at the discretion of the Board of Supervisors.
- 2) Open space held in common by the Homeowner's Association will be subject to subdivision laws in the event any portion is to be sold or divided for the purpose to be sold by the Association.
- 3) If any individual septic system fails to the extent of being condemned by the Gila County Health Department, the system shall be replaced in accordance with and approved by the Gila County Health Department.
- 4) If the existing public water system fails, a new system shall be designed and constructed to meet Gila County minimum standards, existing at the time of the failure, and approved by the Arizona Department of Environmental Quality.

Vice-Chairman Martin inquired if these were all existing homes being changed from a lease into ownership, and there were no new or additional homes. Mr. Smith advised that he is referring to mostly existing homes, but if there is a vacant lot, the option would be available to build a home. At this time

Chairman Sanchez called on Richard Shifler, who requested to address this item. Mr. Shifler stated that he was representing Diamond Point Summer Homes Association. He stated there are forty-five cabins in the subject area that have existed for over 50 years and that the land had been acquired through a land exchange with the U. S. Forest Service. Mr. Shifler offered to answer any questions and expressed his appreciation to Mr. Smith and his staff for their patience in trying to get the plat correct and for assistance on zoning matters. The Board had no questions. Chairman Sanchez thanked Mr. Shifler for his comments. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Planning and Zoning Department Case No. S-04-01. **(A copy of the Staff Report is permanently on file in the Board of Supervisors' Office.)**

Steve Besich requested the approval of a consulting agreement with David Kennedy, Attorney at Law, for Star Valley water issues. He stated that he would let Vice-Chairman Martin and Supervisor Dawson speak to the more intimate parts of this Star Valley issue, but Mr. Chambers had some concerns on whether the Agreement, as proposed, is a Consulting Agreement or the retainer of outside counsel of which the County Attorney's Office always has prior approval. Supervisor Dawson stated that with all of the water problems in northern Gila County, the people in Star Valley feel that Payson is stealing their water. She stated that Mr. Horton is developing the area where the old Wal-Mart store previously was located in Payson. In order to develop his Payson property, Mr. Horton is required to provide water to the property. Mr. Horton bought property in Star Valley, dug a well, and is going to pipe that water to his property in Payson, which has caused much concern to the people of Star Valley. Supervisor Dawson advised that another concern is the contamination of water beneath the old dump in Star Valley which did not have a liner, and the concern is not only for the Star Valley water becoming contaminated, but the water to be pumped to Payson could be contaminated as well. During a recent meeting in Star Valley, the Mogollon Rim Company

explained that there was an agreement between the Town of Payson, the Arizona Department of Water Resources (ADWR) and Gila County in which the Town of Payson and Gila County each contributed \$150,000 and the ADWR contributed \$300,000 for a study on the water problems in northern Gila County. Supervisor Dawson stated that not only is the Mogollon Rim Company needed to assist these people, but the Board also needs legal assistance on what can be done. With the \$600,000 already spent on the one study, she stated the County still doesn't have the answers and further research is needed. Supervisor Dawson said that she doesn't know Mr. Kennedy; however, she advised that Vice-Chairman Martin can explain the reason the County wants to involve an attorney in this process. Vice-Chairman Martin stated that the third party in the agreement mentioned above was the Bureau of Reclamation. She also stated, *"One of the things that will be looked at is the Mogollon Rim Water Resources Management Study (MRWRMS), called 'Mr. Worms', and this group is looking at the bigger picture of where water is coming from and what water is related to what."* She stated that there appears to be two bodies of water in Star Valley, one at the 200 to 250 foot level and one at 700 feet and below. Vice-Chairman Martin stated, *"One of the first questions being asked is if this new developer's well is drawing from the 750 foot and below water and yet not casing out with upper water. The water from the beginning apparently is perforated pipe and so the developer is drawing water from both the 250 foot level and the 700 foot level. Apparently in some of his (Mr. Horton's) testing of this water, he is affecting some of the shallower wells. Some of this chemical testing would tell if the deeper water is related to the shallower water. This doesn't mean the water can or cannot go to Payson and this Board hasn't taken a position on that. We're more concerned with the unintended consequences of what is going on here. If the two waters are related, it means we need to talk about safe yield at that point."* Vice-Chairman Martin stated that when the County closed the old dump, a cap was placed on top and at least one monitoring well was put in place and has been monitored for quite some

time. The Town of Payson has taken over the monitoring of that well and when the Town's hydrologist takes tests, the reports go to Gila County's Solid Waste Manager, Sharon Radanovich. Vice-Chairman Martin stated, "*A position that we have is that we don't have enough water in any part of Gila County to contaminate. If it's contaminated that's a new ball game. So we need to definitively know whether these contaminants are being moved around.*" She stated that David Kennedy is a premiere water attorney in Arizona who has worked for both the Arizona Corporation Commission and also for the Department of Water Resources. Vice Chairman Martin stated: "*There are times I believe we have a real good legal staff we could call on, but they are more criminal legal and when we need legal expertise outside of what we normally do, we need to be able to reach out and bring that expertise to the table.*" She also stated that Mr. Kennedy will be advising the Board regarding special ordinances that address these issues for the rest of the State, whereby he will be able to obtain information and present it to the Board in an expeditious manner. Vice-Chairman Martin questioned whether the County needs a water conservation district. She said that Star Valley is also talking about incorporating which would stop the subject water flowing out of Star Valley, but she's not sure there is enough citizen support to incorporate. Vice-Chairman Martin stated, "*Perhaps there is something between where we are now and a full incorporation to be able to allow the residents of Star Valley to have some say in the water, like a municipal designation or a water conservation district, which would both need special language. In the long run, Star Valley residents might find that if they could strike the right agreement with Payson, because Payson has done a lot of work on safe yield water draws, they may find that is a good partnership in the water management as long as they are in an equal position for discussion. That might be one of the things they discover is that Payson, with the right language in the right Agreement, could do a better job of managing their water then they can now.*" Supervisor Dawson stated that the people in Star Valley would like the County to join in a procedure similar to

that used by Pima County in Oro Valley. She stated, *“Pima County has passed an ordinance that you cannot pump a significant amount of water from wells near the dump, but I do not know what the limitations are. The Board could pass an ordinance that would not allow pumping within a quarter mile of the Star Valley dump site to protect residents from the pollution problem and drainage, but they are just folks out in the country there and they don’t have access to attorneys.”* Vice-Chairman Martin stated that Mr. Kennedy has already been talking to the Bureau of Reclamation to determine if the Bureau’s scope of work can be broadened, using its modeling, to bring in the research to see what is needed. She said, *“The folks of Star Valley are talking about a well within two miles from the site, or even a half mile of the site, but it’s unknown if that would make a difference, or make any difference at all if it’s dealing with the deeper water rather than the shallow water. There are questions that need to be answered along those lines before this Board can actually entertain a resolution, at some of those folks’ request, when we don’t know the answers to these questions. That’s some of the information that Mr. Kennedy would be bringing to us and fairly quickly as we don’t want this to drag out.”* Mr. Besich stated another area of concern is the length and breadth of the County’s authority to be involved in some of these issues. He stated that the two metro counties, in certain cases, have special powers and authorities that the other Arizona counties don’t have. He advised that the County’s level of authority must be researched and that it may take some future legislative work or legislation to affect laws that allow counties to become involved with issues like Blue Ridge water, Star Valley water, and water transfers. He stated: *“We’re talking also about people’s private property rights and their ability to sell their property for profit. There are a lot of things we have to be careful in so we don’t end up affecting the taking of private property by creating an ordinance that damages somebody’s ability to make money off their property. This is going to be a very complex, many -part issue.”* Mr. Chambers suggested to the Board that it would be appropriate to move to go into executive session for the purpose of obtaining legal advice

regarding this agenda item pursuant to A.R.S. §38-431.03(A)(3), but it would be at the Board's discretion. Chairman Sanchez asked Mr. Chambers if the Board could consider both this agenda item and the scheduled executive session agenda item number 15 at the same time in one executive session. Mr. Chambers stated that would be possible so long as the motion to go into executive session also includes this item. Chairman Sanchez stated that upon the advice from the County Attorney's Office, both this item and agenda item number 15 will be considered together.

Steve Besich requested the approval of the use of the Fairgrounds Exhibit Hall and Commercial Building for the Annual Gila County Fall Festival sponsored by the Gila County Historical Society Museum on October 1-2, 2005, with a waiver of fees. He stated that this was a routine request and the Society had been granted fee waivers in the past. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the request with a fee waiver.

Steve Stratton, Public Works Division Director, gave a presentation on the current status of the Gila County Courthouse Roof Replacement Project. He passed out a packet of information to the Board. He stated that the roof is substantially complete with five very minor items to be completed this week. The initial contract, including alternate number two, was \$493,784.00 with the addition of four change orders in the amounts of \$18,830.09 for three HVAC units; \$22,266.70 for extra electrical and mansard sub-straight repairs; \$3,597.00 for pressure control valves for the air conditioning units; and, \$8,381.80 for gutters and soffits. The total cost of \$546,859.59, which includes the four change orders, is less than the second lowest bid originally received which was \$628,720.00 without any change orders. He stated the roof is a 50 mil thickness and the seams were vulcanized and actually welded. Mr. Stratton stated for the record that the County has a 20 year warranty on this roof. He stated: *"We did not design the roof; we have no liability. The manufacturer of the materials has been here twice and we have no liability at all*

in this unless someone punctures the roof. I would also ask that it be noted for the record that we don't want anybody on the roof. I know that one area of the roof is a secondary fire escape, and if for any reason there is either a simulated or real fire drill one of the worst things for the roof is high-heel shoes, and I want to make that point for the record. That's where the County would come back into play and we would have to repair the roof at our cost." He stated the company added additional rain gutter to more expeditiously remove materials from the roof. The County did receive an energy star rating by using this roofing material, which will lower the heating/cooling costs and make the County eligible for grants because of the energy efficiency obtained. Mr. Stratton stated that the original length of the contract was 88 days, but because of rainy weather and the change orders, the actual length of the project was extended 94 days to a total of 182 days. The Board asked various questions about keeping people off the roof and Mr. Stratton stated that a sign is being prepared.

Mr. Stratton requested the approval of a Professional Services Agreement with C. L. Williams Consulting, Inc. to review and recommend revisions to Gila County's Roadway Design Standards Manual. He stated that last December when the Board toured the various departments, it was felt that the road standards needed to be updated and made more lenient. His department has attempted to work on this with very little success in getting it done because of other priorities. Mr. Stratton stated he would like to contract with Mr. Williams who works with the Arizona Counties Insurance Pool which means that he is in contact with all other rural counties, so that a comparison with other counties can be made. He stated one of the problems with the road standards is that the County is taking up too much right-of-way which is not necessary in many cases and, if revised, the Manual would allow more land in subdivisions to be developed. He stated if the Board approves this item, he will have the Manual back to the Board within 30 to 60 days. Supervisor Dawson questioned the cost and source of funding. Mr. Stratton stated that the cost is approximately

\$14,000.00 and these funds would come from the engineering Highway User Revenue Funds. He stated that the first proposal of \$20,000.00 was rejected. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the Professional Services Agreement.

Marian Sheppard, Chief Deputy Clerk, requested the approval of an application for a Series 6 Liquor License, Gila County Order No. 05-02, submitted by Emil J. Forrer for the Punkin Center Store located in Tonto Basin, Arizona. She stated that this is a person to person transfer of a bar license with an interim permit to operate. All the inside County offices have approved the request and she recommended the Board's approval. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the application, which will be forwarded to the State Department of Liquor Licenses and Control for final review and approval.

Ms. Sheppard requested the approval of an application for a Series 6 Liquor License, Gila County Order No. 05-03, submitted by Anthony Giannndrea for Sidewinders located in Pine, Arizona. She stated that this is a person to person transfer of a bar license with an interim permit to operate. All the inside County offices have approved the request and she recommended the approval. Ms. Sheppard advised that the County Board issues its recommendation to the Arizona Department of Liquor Licenses and Control, which has the final approval on all liquor license applications. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the application.

Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda items A-H by a 2-1 vote. Supervisor Dawson stated that she was abstaining from voting on the Consent Agenda items because of a conflict of interest with item H [the approval of finance reports, demands, and transfers for the weeks of May 9, 2005, and May 16, 2005] because she owns Fly-Away Travel. The Consent Agenda items approved are as follows:

- A. Approved an application submitted by Anthony Giannndrea for a Temporary Extension of Premises/Patio Permit at Sidewinders located in Pine, Arizona, for the dates of May 28-30, 2005.
- B. Approved Amendment No. 11 to an Intergovernmental Agreement, Contract No. RSA-E5318042, between the Division of Health and Community Services and the Arizona Department of Economic Security extending the term of the Contract to December 31, 2005, for the continued provision of services to DDD clients through the GEST Program.
- C. Approved an Amendment to a Contract between Gila County and Coconino County for case management services for HIV infected individuals within Gila County. Said Amendment extends the term of the Contract from March 31, 2005, to March 31, 2006, with the amount not to exceed \$40,377.
- D. Approved the revised Public Works Division Policy No. 02-01, Protective Footwear.
- E. Approved the April 19, 2005, BOS meeting minutes.
- F. Approved the April 2005 monthly departmental activity reports submitted by the Globe and Payson Regional Constables and the Globe Regional Justice of the Peace.
- G. Approved personnel reports/actions for the weeks of May 9, 2005, and May 16, 2005, as follows:

May 9, 2005:

Departure from County Service:

- 1. Unit Supervisor – Probation – 05-02-05 – General Fund - Dan McKeen – Hire 08-10-92 – Resigned for personal reasons
- 2. Clerk/Receptionist – Health Services – 04-29-05 – Health Services Fund Wanda Wallingford – Hire 04-06-05 – Resigned – reason unknown
- 3. Volunteer & Fiscal Coordinator – Health Services – 04-18-05 – Grant Fund - Deena Chapman – Hire 02-28-05 – Resigned for personal reasons
- 4. Legal Secretary II – County Attorney – 05-12-05 – General Fund - Kerri Brasher – Hire 11-26-02 – Resigned – leaving area

Hire to County Service:

5. GIS/Draftsperson Technician – Assessor – 05-16-05 – General Fund
Jeremy Burke – position vacated by Ignacio Godinez
6. Legal Clerk – Clerk of Superior Court – 05-02-05 – General Fund
Stacey Savage – position vacated by Judith Edwards

Departmental Transfer:

7. Legal Clerk/Courtroom Clerk to Legal Clerk – Clerk of Superior Court –
05-02-05 – General Fund – Judith Edwards – Reversion to previous
position
8. Legal Clerk to Legal Clerk/Courtroom Clerk – Clerk of Superior Court –
05-02-05 – General Fund – Robyn Kidwell – position vacated by Judith
Edwards

End Probationary Period:

9. GEST Program Manager – Community Services – 05-16-05 – Community
Services Fund – David Caddell
10. Road Maintenance Worker II – Consolidated Roads – 05-04-05 – Road
Fund - Jamy Strobach

Position Review:

11. Anniversary Date Increase – 04-18-05 – Ruth Lopez
12. Anniversary Date Increase – 05-02-05 – Esther Rios
13. Anniversary Date Increase – 05-16-05 – Magdalena Magdaleno, Gary
Frantom, Judy Smrdel, Alfred Cline, Carlos Mejia, Sandra High, Rebecca
Rogers

Request Permission to Post:

14. CAP Program Manager – Community Services – position vacated by Tina
Chaffin
15. CAP Case Manager – Community Services – position vacated by Tina
Chaffin
16. Volunteer Fiscal Coordinator – Health Services – position vacated by
Deena Chapman

17. Clerk/Receptionist – Payson Health Services – position vacated by
Wanda Wallingford

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

18. Detention Officer – Globe S.O. – 05-03-05 – General Fund –
Tommie Ochoa – Hire 04-18-05 – Failure to complete probation

Hire to County Service:

19. Detention Officer – Payson S.O. – 05-16-05 – General Fund
Shawn Campbell – position vacated by Robert Harrold
20. Detention Officer – Globe S.O. – 05-09-05 – General Fund
Jack Mathews – position vacated by Tommie Ochoa

Temporary Hire to County Service:

21. Clerk – Globe S.O. – 05-16-05 – General Fund - Jessica Ortega –
Summer help

Departmental Transfer:

22. Deputy Sheriff (Lt.) to Undersheriff – Payson S.O. – 05-09-05 – General
Fund - John Adam Shepherd – position vacated by Thomas Melcher

Position Review:

23. Anniversary Date Increase – 05-16-05 – Jim Eskew, Lisa Hicks,
Elizabeth Lacey, Joe Leon, Michael Fane, Karen Baltz

May 16, 2005:

Departure from County Service

1. Clerk – Facilities Management – 05-11-05 – Internal Services Fund
Esther Klinger – Hire 07-29-02 – Resigned for other employment

Hire to County Service:

2. Public Health Nurse – Health Services – 05-09-05 – Health Services Fund
Marguerite Loughran – replaces Susan Waterman
3. Road Maintenance Worker II – Consolidated Roads – 05-23-05 – Road
Fund - Derryl Meeks – replaces Thomas Barkley
4. Court Clerk I – Payson Justice Court – 05-12-05 – General Fund -

Amy Myers – replaces Melody Harney

5. Court Clerk I – Payson Justice Court – 05-09-05 – General Fund -

Carol Fagan – replaces Dana Houston

6. Engineering Tech. IV – Survey – 05-18-05 – Survey Fund -

Christopher McDonald – position approved – never filled

7. Community Nutrition Worker – Health – 05-16-05 – Health Services

Fund - Lona Kelley – replaces Deborah Chacon

Temporary Hire to County Service:

8. Clerk/Receptionist – Health Services – 05-05-05 – Health Services Fund

Mathilde Seibert

Departmental Transfer:

9. Probation Aide II to Juvenile Detention Officer II – Probation – 05-16-05 –

General/APS F Funds to General Fund – Karen Eylicio

10. REPAC Training Specialist III to REPAC Deputy Program Manager –

Community Services – 05-16-05 – Grant Fund – Christina Throop

Position Review:

11. Anniversary Date Increase – 05-16-05 – Steve Besich, Sue Asberry

12. Salary Adjustment – Bio Terrorism Coordinator – Health Services –

05-16-05 – Grant Fund – Kevin Kenney

13. Salary Adjustment – Bio Terrorism Communications Coordinator –

Health Services – Grant Fund – Trena Grantham

Request Permission to Post:

14. Administrative Assistant – Facilities Management – position vacated by

Esther Klinger – change in title only – no change in Grade

SHERIFF'S PERSONNEL ACTION ITEMS

Hire to County Service:

15. Dispatcher II – Payson S.O. – 05-16-05 – General Fund – Andria Loyd –

replaces Dan Hunt - Reinstatement

H. Approved the finance reports/demands/transfers for the weeks of May 9, 2005, and May 16, 2005.

May 9, 2005:

\$1,082,805.39 was disbursed for County expenses by voucher numbers X144972 through X144977, X144979 through X145012, and X367424 through X367728. The hand-issued warrant listing is as follows: voucher number X367422 in the amount of \$700.00.

May 16, 2005:

\$872,949.74 was disbursed for County expenses by voucher numbers X145016 through X145182, X367731 through X367803, X367806 through X367940, and X367942 through X368050. The hand-issued warrant listing is as follows: voucher number X145013 through X145015 in the amount of \$1,275.00.

At this time each Board member and the Chief Administrator were presented the opportunity to give a brief summary of current events as allowed by A.R.S. §38-431.02(K). No summary was given by any Board member and no action was taken.

Chairman Sanchez moved to agenda item no. 15, a scheduled Executive Session pursuant to A.R.S. §38-431.03(A)(3) to obtain legal advice pertaining to the legal requirements of conducting the business of the Board of Supervisors. Vice-Chairman Martin made the motion to convene into Executive Session for the purpose of: 1) obtaining legal advice pertaining to the legal requirements of conducting the business of the Board of Supervisors; and, 2) to obtain legal advice on the Star Valley water issues and a consulting agreement with David Kennedy, Attorney. Upon the motion being seconded by Supervisor Dawson, the Board convened into Executive Session at 11:29 a.m.

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board reconvened into Regular Session at 12:44 p.m.

Vice-Chairman Martin made a motion to table agenda item number 7, approval of a consulting agreement with David Kennedy for Star Valley water

issues, until the next regularly scheduled meeting. Supervisor Dawson seconded the motion and the vote passed unanimously.

Chairman Sanchez clarified that no action would be taken by the Board on the Executive Session, listed as agenda item number 15.

There being no further business to come before the Board and upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the meeting was adjourned at 12:45 p.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk